

FINDINGS OF FACT FOR A PRELIMINARY PLAT OF ROLLING MEADOWS PHASE 3 MAJOR SUBDIVISION LOCATED IN THE SE 1/4 SW 1/4, SECTION 32, TOWNSHIP 20 N., RANGE 2 E., P.M.M. CASCADE COUNTY, MONTANA

The application requesting preliminary plat approval for Rolling Meadows Phase 3 major subdivision was received on February 13, 2018. The submittal was determined to contain all required components sufficient for adequate public review on March 28, 2018 and scheduled for public hearing for the Cascade County Planning Board on April 17, 2018 pursuant to statutory requirements. Notice of the public hearing was sent to adjacent property owners on March 30, 2018 and published in the Great Falls Tribune on April 1, 2018 and April 8, 2018.

Shedhorn Engineering LLC (subdivider) and Robert and Gale Morgan, Bonesteel LLC (Owners) request preliminary plat approval for Rolling Meadows Phase 3 major subdivision consisting of fifteen (15) lots ranging in size from 1.17 acres to 2.23 acres. The total acreage of the project site is 28.303 acres.

I. PRIMARY REVIEW CRITERIA

Effect on Agriculture

The proposed subdivision presently consists of one (1) parcel of land (28.303 cumulative acres) within the Mixed-Use Zoning District. To the west, north, and east of the project site is residential development in a Mixed-Use District. To the south across West Ulm Rd is an mostly undeveloped parcel of land zoned Mixed-Use (19.41 acres) containing three agricultural outbuildings. The soil is made up entirely of Assiniboine-Absher complex, 0 to 2 percent slopes, and is not classified as farmland of state-wide importance. Additionally, the size of the parcel would restrict sustainable agricultural operations.

Effect on Local Services

The proposed subdivision will receive law enforcement services from the Cascade County Sheriff Department and fire protection services from the Ulm Volunteer Fire Department. The owners have an existing irrigation storage tank with a capacity of 150,000 gallons on site that will be modified to maintain a minimum of 17,000 gallons for fire suppression services.

A letter requesting comments was sent to the Ulm Volunteer Fire Department Chief and any response received from them will be forwarded to the Planning Board and the County Commissioners.

Parkland dedication is required as part of this subdivision. Per the subdivision regulations, 5% of the acreage subdivided for residential use is required to be dedicated as parkland. Since 27.13 acres are being subdivided, 1.36 acres will be the minimum parkland dedication. The applicant has proposed a 1.17 acre tract as parkland, and plans to cover the remaining 0.19 acres with a cash-in-lieu parkland dedication payment. The Broker's opinion of value provided with the application estimates the value of raw, unsubdivided, unimproved land at \$2,250 per acre, which will require a payment of \$428.

Based on trip generation factors available from the Institute of Transportation Engineers, the 12 new residences that feed onto West Ulm Road will generate an additional 114.84 trips per day resulting in a total of 571 trips per day along that road, up from 456. The two lots that will have approaches onto Ulm-Vaughn Road will increase the Average Daily Trips along that road from

408 to 428 trips per day. In both cases, this will not represent a significant degradation of Level of Service or safety.

Letters requesting comments were sent to the Montana Department of Transportation and the Cascade County Road and Bridge Division. No comments have been received back from either of these agencies.

Effect on the Natural Environment

Subdivision of the site is not expected to create significant surface run-off problems. The proposed development is outside of any regulated floodplains, will not alter any lakebeds or stream channels, and is approximately 0.5 miles north of the Missouri River. The Department of Environmental Quality will review the subdivision plan as part of the Sanitation in Subdivisions Act, and will include a review of the storm water design to mitigate runoff resulting from development in the subdivision.

The soil is made up entirely of Assinniboine-Absher complex (0 to 2 percent slopes) and is not classified as farmland of statewide importance. Additionally, the property was never put into farming use but kept as vacant land with native grasses. Due to the small size of the parcel, farming would not be economical. The project was sent to the Cascade Conservation District for review, any comments received will be forwarded to the Planning Board and Commissioners.

The subdivision is not expected to adversely affect native vegetation, soils, water quality, or the quantity of surface or ground waters. Disturbed areas during development will be re-seeded and the weed management plan will be followed to reduce the spread of noxious weeds.

Effect on Wildlife and Wildlife Habitat

This location is in an area that has been developed and is part of the unincorporated township of Ulm. There are no important habitats, wildlife areas, migration routes, wetlands, or habitat for sensitive or endangered species. The major species that would be affected would likely be the Black-tailed Prairie Dog and the Chestnut-collared Longspur. Humans and pets are likely to have a negative impact on wildlife in the area, however landscaping could provide more habitat for wildlife. Letters requesting comment have been submitted to the Department of Fish, Wildlife, and Parks. The subdivision will not result in closure of public access to hunting or fishing areas, nor to public lands.

Effect on Public Health and Safety

Based on available information, this subdivision does not appear to be subject to potential natural hazards such as flooding and rock slides; nor potential man-made hazards such as nearby heavy industrial or mining activity. Wildfires are always a possibility in subdivisions adjacent to crop or pasture land when located within the wildland urban interface. Fire and emergency services have been addressed. Vehicle access to the subdivision will be primarily off of West Ulm Road, with two lots serviced by Ulm-Vaughn Road.

II. REQUIREMENTS OF MONTANA SUBDIVISION AND PLATTING ACT, UNIFORM STANDARDS FOR MONUMENTATION, AND LOCAL SUBDIVISION REGULATION

The subdivision meets the requirements of the Montana Subdivision and Platting Act and the

surveying requirements specified in the Uniform Standards for Monumentation, and conforms to the design standards specified in the local subdivision regulations. The subdivider and the local government have complied with the subdivision review and approval procedures set forth in the local subdivision regulations.

III. COMPLIANCE WITH THE CASCADE COUNTY GROWTH POLICY

The proposed subdivision is in general compliance with the Cascade County Growth Policy to preserve and enhance the rural, friendly and independent lifestyle currently enjoyed by Cascade County's citizens and by ensuring that all new roads be built to county specifications, designing subdivisions so as to minimize the risk of fire, promoting adequate ingresses and egresses, adequate water supply systems, requiring local review of subdivisions meet DEQ regulations, and by complying with the weed district's weed management plans. The area is not located in a designated Resource Protection Area, Prohibitive Development Area or Conditional Development Area; therefore, those standards are not applicable to the proposed subdivision.

SETBACK STANDARDS

The minimum standards must comply with the Cascade County Zoning Regulations.

SLOPE STANDARDS

Development on slopes exceeding thirty percent is prohibited except where a licensed engineer, with demonstrated experience in the field of slope stabilization certifies that the development will create no slope failure or erosion hazards.

OFF-STREET PARKING STANDARD

All parking in the proposed subdivision will be accommodated on the premises and entirely off street.

RESIDENTIAL DEVELOPMENT STANDARD

The minimum standards must comply with the Cascade County Zoning Regulations.

SOIL EROSION STANDARD

The proposed subdivision should not cause soil erosion or other adverse impacts of runoff on neighboring properties, roads, or watercourses. There is no development taking place on the lots remaining in the county.

SOILS LIMITATIONS STANDARD

Soils that have moderate or severe limitations for the proposed subdivision will be identified and measures to mitigate such limitations will be implemented.

ROAD ACCEPTANCE AND MAINTENANCE POLICY

Legal access, described as public street and utility easement, to the lots will be provided on the final plat. There are two private access road that will be a privately maintained by

the HOA to access the subdivision. The County will not have responsibility for road maintenance until such time as the County accepts the internal roads as County roads.

FIRE PROTECTION STANDARD

This development lies within and receives fire protection services from the Ulm Volunteer Fire District. Response time will be dictated by weather and road conditions. A letter has been sent to the Ulm Fire Chief asking for comments on the proposed subdivision. Any comments received will be sent to the Planning Board and the County Commissioners.

SCHOOL SYSTEM'S CAPACITY STANDARD

Letters were sent to the Cascade County Superintendent of Schools, the Cascade School Superintendent, and the Ulm Public Schools Principal. The Cascade School Superintendent and Principal for Ulm Public Schools both responded that the schools in their district would have the capacity to service students from the proposed subdivision.

IV. EASEMENTS FOR UTILITIES

Any comments received by staff will be forwarded to the Planning Board and County Commissioners. All easements will be shown on the final plat.

V. LEGAL AND PHYSICAL ACCESS

1. Legal access will be provided to all lots through private street easements placed on the final plat. The existing roads in this subdivision will not be county responsibility until such time as the county accepts them.
2. Legal access will be provided to Lots 3M & 3N through county approaches from Ulm-Vaughn Road.

VI. OPTIONS AND RECOMMENDATIONS

In making their recommendations and decisions, the Cascade County Planning Board and the Cascade County Commission shall consider the following:

- A. relevant evidence relating to the public health, safety, and welfare;
- B. the Summary of Probable Impacts;
- C. the Cascade County Growth Policy; and
- D. the provisions outlined in the Cascade County Subdivision Regulations and the Montana Subdivision and Platting Act.

VII. DECISION ALTERNATIVES

1. Approve the proposed subdivision.
2. Approve the proposed subdivision with conditions.
3. Table the proposed subdivision for further study.
4. Deny the proposed subdivision.